



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/563,553	03/14/2006	Abdoel Fazel Rajabali	2001-1426	1475
466 7590 03/27/2007 YOUNG & THOMPSON 745 SOUTH 23RD STREET 2ND FLOOR ARLINGTON, VA 22202			EXAMINER O HERN, BRENT T	
			ART UNIT	PAPER NUMBER
			1772	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		03/27/2007	PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

# Office Action Summary

Application No.

10/563,553

Applicant(s)

RAJABALI ET AL.

Examiner

Brent T. O'Hern

Art Unit

1772

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 09 February 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-4,6-12 and 15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4,6-12 and 15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Claims*

1. Claims 1-4, 6-12 and 15 are pending with claim #15 new.

## WITHDRAWN REJECTIONS

2. The 35 U.S.C. 112, second paragraph rejections of claims 1-14 of record in the Office Action mailed 9 November 2006, page 2, paragraph 2 have been withdrawn due to Applicant's amendments in the Paper filed 9 February 2007.
3. The 35 U.S.C. 102(b) rejections of claims 1-14 as being anticipated by Lambing et al. (US 5,160,771) of record in the Office Action mailed 9 November 2006, page 3, paragraph 3 have been withdrawn due to Applicant's amendments in the Paper filed 9 February 2007.

## NEW REJECTIONS

### *Claim Rejections - 35 USC § 112*

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claim 2 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the **written description** requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Applicant has added **new matter** as Applicant's original disclosure does not disclose "wherein the fill is directly adjacent to two mutually

Art Unit: 1772

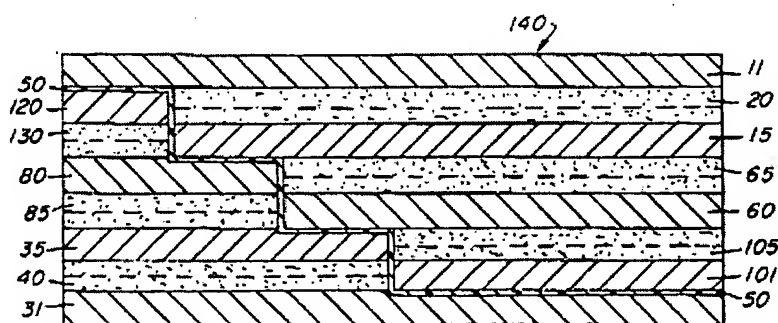
overlapping edges", in claim #1, lines 2-3. Applicant's original disclosure teaches intermediate layers such as #14, #15 and #16 as illustrated in FIG-2.

### ***Claim Rejections - 35 USC § 102***

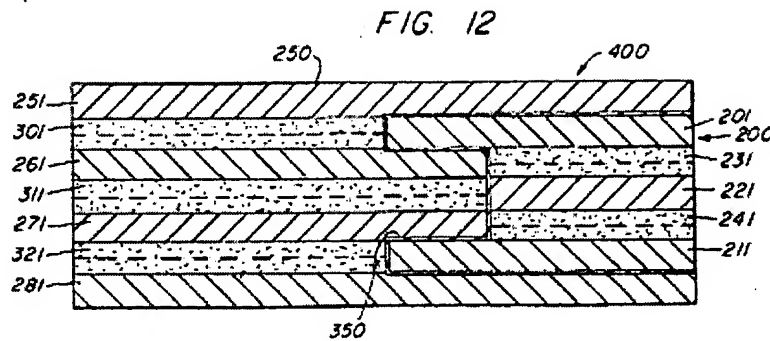
5. Claims 1-4, 6-12 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Lambing et al. (US 5,160,771).

Regarding claim 1, Lambing ('771) teaches a laminate of alternating metal layers (col. 4, ll. 10-36 and FIG-9, #11, #15, #60, #101, #120, #80, #35 and #31) and at least one plastic bonding layer (col. 4, ll. 10-36 and FIG-9, #20, #65, #105, #130, #85, #40 and #50), each of the metal layers comprising two metal layer sections that have mutually overlapping edges (See col. 4, ll. 10-36 and FIG-9, #11, #15, #60, #101, #120, #80, #35 and #31 as well as the layers of FIG-12. See FIG-9, wherein an end edge of #15 overlaps an edge of #80. Furthermore, the Examiner interprets an edge to include any edge of a layer including on the end, top, bottom or sides.) bonded to one another (col. 3, l. 36 and FIG-9, #50), characterised in that a fill is provided which has a thickness at least such that at the location of the fill the laminate has a thickness equal to a total thickness of the mutually overlapping edges of the metal layer sections (See FIG-9, fill #11, #120 and #35 and equal thickness laminate.).

FIG. 9



Art Unit: 1772



Regarding claim 2, Lambing ('771) teaches a laminate wherein the fill is directly adjacent to two of the mutually overlapping edges (See FIG-12, #350 along edges and FIG-9, fill #50 along #15 and #80, as well as #11, #120 and #35 are along #15 and #80.).

Regarding claims 3 and 12, Lambing ('771) teaches a laminate wherein the fill is on both sides of two of the mutually overlapping edges (See FIG-12, #350 along both sides, FIG-9, #50 along both sides and #11, #120 and #135 are along both sides of #15 and #80.).

Regarding claim 4, Lambing ('771) teaches a laminate wherein an edge of one of the mutually overlapping edges is continued such that the metal layer sections of one of the metal layers are an extension of one another (See FIG-9 wherein #80 and #15 are an extension of another.).

Regarding claim 6, Lambing ('771) teaches a laminate wherein the laminate has a region in which there is at least one fill and a second region without the fill (See FIG-9 wherein the laminate has regions where there are fills and not fills, where there is something other than a fill.).

Art Unit: 1772

Regarding claim 7, Lambing ('771) teaches a laminate wherein the fill comprises at least one metal layer and at least one plastic bonding layer (*See col. 3, l. 36 and FIG-9, fills #11, #120 and #35 with adhesive #50.*).

Regarding claim 8, Lambing ('771) teaches a laminate wherein the fill comprises at least a further metal layer with a thickness greater than that of the metal layers (*See FIG-9 wherein the left side of #80 is thicker, where adhesive is absent than the right side of #80 where #50 is present and col. 5, ll. 34-36 wherein the thickness varies.*).

Regarding claim 9, Lambing ('771) teaches a laminate wherein the plastic bonding layer comprises a layer of adhesive (*col. 3, l. 36 and FIG-9, #50*).

Regarding claim 10, Lambing ('771) teaches a laminate wherein the plastic bonding layer comprises a fibre layer that has been impregnated with an adhesive (*col. 5, ll. 34-37, col. 3, l. 36 and FIG-3, #50*).

Regarding claim 11, Lambing ('771) teaches a laminate wherein the fill is interlaminar (*See FIG-9 wherein #120 and #35 are interlaminar.*).

Regarding claim 15, Lambing ('771) teaches wherein outside of the mutually overlapping edges, each respective one of the metal layers is at a respective same level (*See FIG-9 wherein #15 is at a same level.*).

#### **ANSWERS TO APPLICANT'S ARGUMENTS**

6. In response to Applicant's argument (*p. 6, para. 5 of Applicant's Paper filed 9 February 2007*) that Lambing ('771) does not teach amended independent claim #1 since Lambing's ('771) metal layers are not at the same level, it is noted the Examiner acknowledges Applicant's admission that metal layers can be at different layers while still being within the same layer as Applicant additionally points out at the right side of

Art Unit: 1772

Applicant's FIG-2. Furthermore, Lambing ('771) teaches said metal layers as illustrated in FIGs 9 and 12 and discussed above.

7. In response to Applicant's argument (*p. 6, para. 2 of Applicant's Paper filed 9 February 2007*) that Lambing ('771) does not teach the thickness proportions of the fill and the laminate as claimed in amended claim #1, it is noted that both Applicant's and Lambing's ('771) laminates have substantially constant thickness in both the regions of overlap and in the regions where there is not overlap.

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

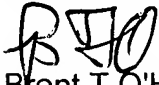
### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brent T. O'Hern whose telephone number is (571) 272-0496. The examiner can normally be reached on M-F, 9:00-5:30.

Art Unit: 1772

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harold Pyon can be reached on (571) 272-2172. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Brent T O'Hern  
Examiner  
Art Unit 1772  
March 9, 2007

  
NASSER AHMAD  
PRIMARY EXAMINER 3/22/07